

REMARKS

Claims 1-21 and 23-37 are pending in this application.

In the Office Action, claims 1-7 were rejected under 35 USC § 103(a) based on a Neely-Kuthyar-Barrus combination. Applicants request the Examiner to withdraw this rejection for the following reasons.

Claim 1 has been amended to recite storing the received multimedia message in a storage device with the set index value, wherein the index value is indicative of whether the multimedia message is a new multimedia message or a previously sent multimedia message. Claim 1 also recites receiving data from a user agent, searching the storage device for the multimedia message, the search performed based on a comparison of the received data and the index value set in the stored multimedia message; and forwarding the multimedia message produced by the search to the user agent.

The Neely publication fails to teach or suggest the features of the index value indicating whether the multimedia message is a new multi media message or a previously sent multimedia message. It therefore logically follows that Neely fails to teach or suggest the storing, searching, and forwarding steps in amended claim 1, all of which are performed based on the index value.

The Kuthyar patent discloses that certain mailbox management functions are preferably available while summary message information is being displayed. For example, at step 76, message mailbox management functions such as deleting, archiving, annotating, or forwarding multimedia messages can be performed.

The Barrus patent discloses a multimedia message system 110 that stores messages. Barrus also discloses that the messages are indexed, so that they may be remotely accessed by a user. (See column 24, lines 35-67).

However, the Kuthyar and Barrus patents do not teach or suggest storing the received multimedia message in a storage device with the set index value, where the index value is indicative of whether the multimedia message is a new multimedia message or a previously sent multimedia message. Regarding the Barrus system specifically, Applicants note that messages in Barrus are indexed based only on caller ID (e.g., telephone number) or the name of the caller, not the type of index value defined in claim 1.

Kuthyar and Barrus also fail to teach or suggest receiving data from a user agent, searching the storage device for the multimedia message, the search performed based on a comparison of the received data and the index value set in the stored multimedia message; and forwarding the multimedia message produced by the search to the user agent. Applicants submit that claim 1 and its dependent claims are allowable based on these differences.

Claims 8-37 were rejected under 35 USC § 103(a) for being obvious in view of a Neely-Barrus combination. This rejection is traversed

Claim 8 recites “determining an index value of the transmitted header information, wherein the index value indicates whether the multimedia message is a new multi media message or a previously sent multimedia message.” The Neely publication does not disclose these features, and neither does Barrus. As discussed above, the Barrus patent discloses, at column 24,

a process of indexing stored multimedia messages where the messages are indexed based on caller ID or the name of caller. (See column 24, lines 65-67 specifically).

Barrus does not teach or suggest that its messages contain an index value that indicates whether the message is a new or previously sent multimedia message. Moreover, claim 8 requires the index value to be inserted into a header of the message. Barrus also does not teach or suggest these features. Rather, the messages are merely indexed based on telephone number or caller name as in a voice mail message system. (See column 24, lines 59-63).

Based on these differences, Applicants submit that a Neely-Barrus combination cannot render claim 8 obvious. Furtherance of claim 8 and its dependent claims to allowance is therefore respectfully requested.

Claims 20, 26, and 33 recite an index value similar to the one defined in claims 1 and 8, and particular uses thereof. The Neely and Barrus patents do not teach or suggest use of this particular type of index value in a multimedia messaging system. Accordingly, it is submitted that claims 20, 26, and 33 are allowable.

In view of the foregoing amendments and remarks, Applicants submit that the application is in condition for allowance. Favorable consideration and timely allowance of the application is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this,

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concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

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